



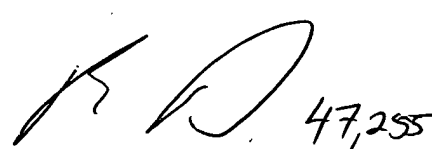
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<b>PRE-APPEAL BRIEF REQUEST FOR REVIEW</b>		<b>Docket Number (Optional)</b> SON-2024	
	<b>Application Number</b> 09/774,682-Conf. #3648	<b>Filed</b> February 1, 2001	
	<b>First Named Inventor</b> Motoshi Asano		
	<b>Art Unit</b> 3692	<b>Examiner</b> F. Poinvil	
<p>Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.</p> <p>This request is being filed with a notice of appeal.</p> <p>The review is requested for the reason(s) stated on the attached sheet(s). Note: No more than five (5) pages may be provided.</p> <p>I am the</p> <p><input type="checkbox"/> applicant /inventor.</p> <p><input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)</p> <p><input checked="" type="checkbox"/> attorney or agent of record. Registration number <u>24,104/40,290</u></p> <p><input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34. _____</p> <p> Signature <u>Ronald P. Kananen/Christopher M. Tobin</u> Typed or printed name <u>(202) 955-3750</u> Telephone number <u>July 2, 2008</u> Date</p> <p>NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.</p>			
<input checked="" type="checkbox"/> *Total of <u>1</u> forms are submitted.			



Docket No.: SON-2024  
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Motoshi ASANO et al.

Confirmation No.: 3648

Application No.: 09/774,682

Art Unit: 3692

Filed: February 1, 2001

Examiner: F. Poinvil

For: ELECTRONIC-MONEY SETTLEMENT  
METHOD AND INFORMATION  
PROCESSING APPARATUS THEREFOR

**REQUEST FOR PRE-APPEAL BRIEF PANEL REVIEW OF REJECTION**

MS AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This is in full and timely response the non-final Office Action mailed on April 2, 2008.

The final rejection of the claims is traversed at least for the following reasons.

**The claims** - The claims include the features and steps of *determining if an identification code for said portable electronic device is listed on a negative list,*

*a presence of said identification code on said negative list identifying said portable electronic device as a disabled device and*

*an absence of said identification code from said negative list identifying said portable electronic device as an enabled device.*

**UK Patent Application No. GB 2 303 956 to Nonaka et al. (Nonaka)** - Nonaka

arguably teaches an electronic purse loan system wherein a repayment term storage may be provided in the personal information storage 34 in the center 3 (Nonaka at page 19, line 23 to page 20, line 5).

Nonaka arguably teaches the presence of an ID number storage 60 (Nonaka at page 7, line 19).

However, Nonaka *fails* to disclose, teach or suggest *an absence* of an ID number from the storage 60 as identifying an ID card 1 as an enabled device.

Instead, Nonaka merely determines whether or not the ID number is “cataloged” (Nonaka at Figure 3, steps S106 and S121; Figure 4, steps S206 and S221; Figure 6, steps S308; Figure 8, steps S406 and S420; Figure 11, steps S506).

- *Thus, Nonaka fails to disclose, teach or suggest the features and steps of determining if an identification code for said portable electronic device is listed on a negative list, a presence of said identification code on said negative list identifying said portable electronic device as a disabled device and an absence of said identification code from said negative list identifying said portable electronic device as an enabled device.*

**Japanese Application Publication number 11-161832 (Purse Japan:KK)** - The Office Action cites Purse Japan:KK for the features that are deficient from within Nonaka.

However, Purse Japan:KK *fails* to disclose, teach or suggest an absence of said identification code from said negative list identifying said portable electronic device as an enabled device.

- *Thus, Purse Japan:KK fails to disclose, teach or suggest the features and steps of determining if an identification code for said portable electronic device is listed on a negative list,*

*a presence of said identification code on said negative list identifying said portable electronic device as a disabled device and*

*an absence of said identification code from said negative list identifying said portable electronic device as an enabled device.*

Japanese Application Publication number 62-264364 (Kamimura) - The Office Action cites Kamimura for the features that are deficient from within Nonaka.

However, Kamimura fails to disclose, teach or suggest an absence of said identification code from said negative list identifying said portable electronic device as an enabled device.

- *Thus, Kamimura fails to disclose, teach or suggest the features and steps of determining if an identification code for said portable electronic device is listed on a negative list,*

*a presence of said identification code on said negative list identifying said portable electronic device as a disabled device and*

*an absence of said identification code from said negative list identifying said portable electronic device as an enabled device.*

The claims include the features and steps of *determining if an identification code for said portable electronic device is listed on a negative list,*

*a presence of said identification code on said negative list identifying said portable electronic device as a disabled device and*

*an absence of said identification code from said negative list identifying said portable electronic device as an enabled device.*

**U.S. Patent No. 5,679,938 (Templeton)** - The Office Action **readily admits** an **absence** of these features within UK Patent Application No. GB 2 303 956 to Nonaka et al. (**Nonaka**), Japanese Application Publication number 11-161832 (**Purse Japan:KK**), and Japanese Application Publication number 62-264364 (**Kamimura**) (Office Action at page 6). Templeton has been cited to account for these features.

In response, **Templeton** arguably teaches that the magnetic stripe reader includes a magnetic read head (not shown) positioned adjacent a card swipe slot 70, and is operative for electronically reading a magnetic stripe 75 on the back of a identification card 80 or data card (not shown) (Templeton at column 12, lines 13-16).

An "identification card" can mean a drivers license or other card bearing identifying information associated with a customer (Templeton at column 9, lines 58-60).

The identifying information typically includes the customer's name and address, and may also include the customer's date of birth, social security number, drivers license number, other identifying numbers, gender, etc. (Templeton at column 9, lines 60-63).

In this regard, Templeton **fails** to teach information on a deposited amount of money being stored in identification card 80 or data card in the form of electronic money representing a monetary value.

Templeton arguably teaches that the MICR reader includes a MICR read head (not shown) positioned adjacent a MICR slot 55, and is operative for electronically reading the MICR characters 60 on a check 65 (Templeton at column 12, lines 9-13).

Templeton arguably teaches that the host computer 35 then accesses the negative file 85, which contains bad check data that has been accumulated by the check acceptance service (Templeton at column 13, lines 18-20).

However, Templeton fails to disclose, teach, or suggest the “bad check data” as including an identification code for the check 65.

Instead, Templeton arguably teaches that this data may be accessed using the customer's checking account number, drivers license number, or other transaction data (Templeton at column 13, lines 20-22).

Templeton arguably teaches that the negative file 85 includes data indicating that previous checks tendered by the customer were returned for some reason, and have not been collected (Templeton at column 13, lines 22-25).

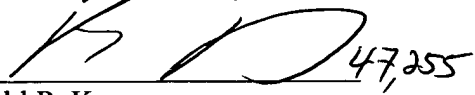
However, Templeton fails to disclose, teach, or suggest the “previous checks” and check 65 as being one in the same.

Thus, Templeton fails to disclose, teach, or suggest the features and steps of *determining if an identification code for said portable electronic device is listed on a negative list*.

Withdrawal of this rejection and allowance of the claims is respectfully requested.

Dated: July 2, 2008

Respectfully submitted,

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